

1 on the Colorado River is being mitigated here and there will
2 not be any negative impacts because of that transfer?

Blythe-10
con't

3 MR. VANDERHORST: Well, first of all, let me
4 say that the documents that we prepared are not the
5 environmental review documents for any water transfer. They
6 are simply the documents for development of a program to
7 obtain Endangered Species Act compliance.

8 That being said, the compliance does include
9 coverage for future changes in the point of diversion of
10 water on the Colorado River, not only within California but
11 also within Nevada and Arizona and also by federal agencies
12 as well.

13 So the idea being, that this program will provide
14 a mitigation package sufficient to offset the impacts of
15 future water transfers wherever they may occur in the Lower
16 Colorado River and whoever may implement them, and at this
17 point we don't know what those future projects may be.

18 As you know, there are several that have already
19 been implemented that have gone through separate
20 environmental review, and in the future any party that
21 intends to perform one will have to do an environmental
22 review of the specific project.

23 What may be done in the future is, if there's a
24 water transfer, parties may rely on -- to the extent that
25 the project fits within the action as described in our

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1 program, they may have -- they may be able to rely on the
 2 incidental take issue permit issued by that program for
 3 incidental take permit compliance only. All other
 4 environmental review has to be done at that time.

5 MR. HULL: Do you have a range of diversion
 6 that you analyzed from minimum to maximum?

Blythe-11

7 MR. VANDERHORST: Yes. The program is based
 8 on a change in point of diversion of up to 1.574 million
 9 acre feet of water a year.

10 MR. HARRIS: Lake Havasu. That would be --
 11 that would reach from Lake Mead to Southern international
 12 boundaries.

13 MR. HULL: Thank you.

14 (One hand raised.)

15 MR. VANDERHORST: Yes, ma'am.

16 MS. JACOE: My name is Deloris Jacoe. I'll
 17 spell it for you, D-e-l-o-r-i-s J-a-c-o-e. I'm a former
 18 Blythe resident. I've lived in Yuma, El Centro, Southern
 19 California and the Blythe area for the past 52 years, and I
 20 have seen how the water has dropped from Lake Mead over 72
 21 feet overall two and a half years ago after our drought.

22 And as a person very strongly interested in
 23 ecology, I would like to know if; Number 1, I personally can
 24 have a transcript of everything that's said here tonight,
 25 and I would like to have a copy that you said was on disk,

Blythe-12

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1 and I would like to have further data about how Metropolitan
 2 water is coming out of this financially and helping all of
 3 the developers in Southern California.

Blythe-13

4 I currently live in Hemet, and I have seen how the
 5 farmers there have been driven out by the big developers and
 6 the traffic and the smog and all of the other stuff is big,
 7 big headaches, and I know what it has done to the small
 8 farmers.

9 With Blythe being a farming community from day
 10 one, I hate to see it become a ghost town if we do not
 11 maintain our farming; and if we do not maintain our river,
 12 for being able to have the people from the big metropolitan
 13 areas come over here and have a chance to get away from
 14 their smog and everything else and be able to relax on the
 15 river.

Blythe-14

16 I'm concerned because I'm going to live here for
 17 the rest of my life. I can live another 40 years. I don't
 18 want to do it in a smoggy city where I am now, and I want to
 19 be assured that we are going to be able to have a safe food
 20 supply because everyplace I go to buy groceries now it's
 21 imported from Latin America; and with the terrorist the way
 22 they are, the only sure source of good food we have is where
 23 we grow right here and in Imperial Valley and in Arizona,
 24 and I would like to be able to have some means of being
 25 assured that this is going to be continued and if

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1 Metropolitan Water and some of these others are not going to
2 deprive us of that opportunity.

Blythe-14
con't

3 MR. VANDERHORST: Thank you, ma'am.

4 With regards to a transcript of this hearing, it
5 will be included as part of the final documentation for the
6 program.

7 MS. JACOE: Thank you.

8 MR. VANDERHORST: So if you would ask for it
9 at the sign up. If you make sure we get your address and
10 you can be --

11 MS. JACOE: It's on there.

12 MR. VANDERHORST: -- included on the mailing
13 list.

14 MS. JACOE: It is.

15 MR. VANDERHORST: Okay. Thank you.

16 (One hand raised.)

17 MR. VANDERHORST: Yes.

18 MR. NELSON: Les Nelson again. Figures the
19 alternative to no action alternative isn't really viable and
20 we understand that. Can you -- can you kind of give us some
21 sense if they go forward with Alternative 1, 3, or 4 some
22 kind of a time line what might happen, when it might happen.
23 I know that means you have to make some assumptions. I
24 would ask you to give us in order of magnitude what we might
25 be looking at in terms of time and implementation.

Blythe-15

1 MR. VANDERHORST: Well, as we mentioned, it
2 is a 50-year program. So we are looking at implementation
3 over a very long time.

4 MR. NELSON: I'm looking at the front end.

5 MR. VANDERHORST: I understand. It's
6 difficult to say. We haven't got a firm time line as far as
7 how many acres would be recreated in any given time frame,
8 but we are hopeful that it will be as we call front loaded
9 as far as habitat creation is concerned.

10 There obviously needs to be at the beginning of
11 the program some screen done with regard to the need for the
12 species and the best location for the habitat and provide
13 the most benefit for the species that we are working with.
14 So that will take some time up front before we actually get
15 on the way with habitat creation.

16 I am afraid I can't be any more specific than
17 that, but there is a chart in the document that page --

18 MR. HARRIS: It's Table 7 dash 1 follows page
19 7 dash 2. Table 7 dash 1 following 7 dash 2. It's broken
20 up into five-year increments and it's by cost, but in
21 Chapter 7 each of those costs then can be related.

22 So if you are interested in looking at how many
23 acres as we ramp up with restoring the number of acres, this
24 is in Volume 2, the Draft Habitat Plan. I assume it may be
25 in the ES. It may not be.

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1 You can see how the acreage could come on line and
 2 I can -- as I recall, most of the acreage is in place around
 3 year 30 to year 40. So ramp up on that kind of schedule,
 4 then you go into kind of maintenance mode maintaining your
 5 existing habitat, um, and you can see it. It kind of breaks
 6 down. We've got it in five-year increments by dollar
 7 amount, how much water is required, et cetera.

8 Oh, the other part of your question, Les, when do
 9 you expect in a perfect world would this program begin
 10 initiation.

11 Um, we would like to think the current schedule
 12 right now expects a report or decision from the secretary of
 13 the Department of the Interior in January 2005, which means
 14 theoretically then in 2005 we would begin turning dirt and
 15 doing the necessary data collection, background work,
 16 et cetera, and identifying potential places along the river
 17 for habitat restoration.

18 MR. NELSON: Thank you.

19 MR. HULL: Charles Hull. If you have now
 20 eight thousand eighty-one hundred acres of new habitat that
 21 you are creating, you have yet to identify those areas, you
 22 probably have a general idea of zoning that you're
 23 exploring.

Blythe-16

24 You are not impeding on recreational
 25 opportunities that exist on the river today?

Blythe-17

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1 MR. VANDERHORST: Uh-huh.

2 MR. HULL: How is it -- Like the slide you
3 had on the power point. Are you augmenting what's out there
4 and calling that new or are you going out and creating new
5 flood areas that are in addition to the river?

Blythe-18

6 MR. HARRIS: It's probably worth spending a
7 couple minutes here just explaining this. If you get a
8 chance after the meeting, do come over. We have spent
9 basically the past six or seven years, all of the
10 cooperative agencies in this program, and really looking in
11 some detail at the entire reach of the Lower Colorado River
12 and including the Lower Gila, the Bill Williams River, the
13 Virgin River up in Nevada and trying to identify areas that
14 might lend themselves to this notion of habitat restoration.

15 So we put together a catalog of about 35,000
16 acres, as I recall, and a lot of it is on federal land, BLM
17 land, some of the National Wildlife refuge lands, tribal
18 lands, state lands managed by the three states, and then
19 ultimately some areas that are privately owned or managed by
20 agricultural districts.

21 We put together a catalog and just said if you
22 were able to utilize these plans, whether they're BLM,
23 private, tribal, et cetera, what could you do there? Did
24 they lend themselves well? And the document does describe
25 kind of the break down how much tribal and private, federal

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1 lands along the river and how those lands could come into
2 this analysis, and they're -- actually, the criteria of
3 selecting the sites are also described in the documents.

4 So there was a methodology utilized in identifying
5 these. I think a lot of it depends upon access. Can you
6 get to it? Do you have a running source of Colorado River
7 water? That's a huge issue. Can it be maintained
8 adequately? Do you have to add a whole bunch of
9 infrastructures, roads and canals, et cetera. We like to
10 avoid that as much as possible with additional development.

11 And to kind of answer your last question, this has
12 to be a new habitat. The Fish and Wildlife Service is going
13 to give us some credit for maintaining only some of the
14 existing habitat along the river if we did certain things.

15 They also want to see new 8,132 acres of habitat
16 out there. That's really important. The eighty-one hundred
17 acres we have to go out and restore, so either take salt
18 cedar out and replace it with cotton willow and take some
19 lands that have nothing on them and create new habitat, and
20 we also get some credit for maintaining some of the existing
21 better qualified riparian habitat along the river, too.
22 These notions and these contents are all in here.

23 MR. VANDERHORST: To focus on that, you want
24 to read the Habitat Conservation Plan which is Volume 2 of
25 those set of documents.

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1 MR. HULL: I'll jump on it.

2 MR. HARRIS: Little bedtime reading.

3 MR. HULL: Yeah.

4 MS. JACOE: I was wondering, is this going to
5 create excess water, this plan is going to take more farm
6 out of production or other things out of production to
7 create more water so Metropolitan can claim in the future?
8 Metropolitan's not going to claim any water or any excess
9 water in the future concerning this plan?

Blythe-19

10 MR. VANDERHORST: No.

11 MS. JACOE: I just can't --

12 MR. VANDERHORST: This program doesn't
13 involve any water transfers at all. This program's going to
14 be implemented by the Bureau of Reclamation, if it's
15 approved. While it would involve the use of water for
16 purposes of the new habitat, it doesn't involve transferring
17 water.

18 MS. JACOE: Would it be using water some time
19 in the future?

Blythe-20

20 MR. HARRIS: Never.

21 MR. MILLOSOVICH: I got just one. I'm Jim
22 Millosovich with California Fish and Game. This doesn't
23 represent my agency. I think it's important at these public
24 hearings to let the people know what the driving force is
25 behind this. Yes, this isn't from water transfers, aren't

Blythe-21

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1 the NECP, but there's a driving force behind it. They are
2 all connected.

Blythe-21
con't

3 THE COURT REPORTER: Spell your last name,
4 please.

5 MR. MILLOSOVICH: It's M-i-l-l-o-s-o-v-i-c-h.

6 You didn't wake up one day and say we are going to
7 do this. There's a reason for it.

Blythe-21
con't

8 MR. VANDERHORST: There's reasons for it.
9 There is the Endangered Species Act compliance for operation
10 of the river. Right now Metropolitan Water District and
11 several other water agencies in California, including the
12 Palo Verde Irrigation District here in Blythe, take water
13 out of the Colorado River. We do that without any
14 incidental take permit right now. The same thing happens in
15 Nevada, the same thing happens in Arizona.

16 So the purpose of our program is so we can comply
17 with the Endangered Species Act so we will not get
18 prosecuted for violating the law.

19 Now, it does -- because we have a 50-year program
20 and we want to make sure we have compliance with the
21 Endangered Species Act for the next 50 years, we looked
22 forward to what future actions may be taken on the river so
23 we can get them covered in one program and that program is
24 this program, and so what we need to do is consider what
25 change may occur on the river over the next 50 years.

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